

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

(PCT Rule 44.1)

To:

THE PROCTER & GAMBLE COMPANY
Attn. REED T. David
5299 Spring Grove Avenue
CINCINNATI, OHIO 45217-1087
UNITED STATES OF AMERICA

Date of mailing
(day/month/year)

20. 10. 00

Applicant's or agent's file reference

7656M/JB

FOR FURTHER ACTION

See paragraphs 1 and 4 below

International application No.

PCT/US 00/18350

International filing date

(day/month/year)

05/07/2000

Applicant

THE PROCTER & GAMBLE COMPANY et al.

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within **19 months** from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within **20 months** from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority



European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Emmanuel Cherqui

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

| | | |
|---|---|--|
| Applicant's or agent's file reference 7656M/JB | FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below. | |
| International application No. PCT/US 00/ 18350 | International filing date (day/month/year) 05/07/2000 | (Earliest) Priority Date (day/month/year) 06/07/1999 |
| Applicant THE PROCTER & GAMBLE COMPANY et al. | | |

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. _____

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

PATENT COOPERATION TREATY

EO/US
PCT/US00/18350

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

| | |
|--|---|
| Date of mailing: <div style="text-align: center;">11 January 2001 (11.01.01)</div> | |
| International application No.: <div style="text-align: center;">PCT/US00/18350</div> | Applicant's or agent's file reference: <div style="text-align: center;">7656M/JB</div> |
| International filing date: <div style="text-align: center;">05 July 2000 (05.07.00)</div> | Priority date: <div style="text-align: center;">06 July 1999 (06.07.99)</div> |
| Applicant: <div style="text-align: center;">FRANKENBACH, Gayle, Marie et al</div> | |

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International preliminary Examining Authority on:

30 October 2000 (30.10.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

| | |
|---|---|
| The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35 | Authorized officer: <div style="text-align: center;">J. Zahra</div> Telephone No.: (41-22) 338.83.38 |
|---|---|

INTERNATIONAL SEARCH REPORT

In Application No
PCT/US 00/18350

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C11D1/62 C11D3/37 C11D3/43 C11D3/20 C11D17/00
C11D3/18

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C11D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|--|-----------------------|
| X | WO 99 27050 A (PROCTER & GAMBLE) 3 June 1999 (1999-06-03) | 1-13 |
| A | claims examples page 18, last paragraph -page 23, paragraph 2 page 27, paragraph 4 -page 42, paragraph 2 page 43, paragraph 2 -page 51, last paragraph | 14-21 |
| X | EP 0 803 498 A (WITCO CORP) 29 October 1997 (1997-10-29) cited in the application claim 20 examples | 1-7, 14, 15 |
| A | page 5, line 45 -page 15, line 45 --- -/-- | 8-10, 16-21 |

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

12 October 2000

Date of mailing of the international search report

20. 10. 00

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Neys, P

INTERNATIONAL SEARCH REPORT

Application No
PCT/US 00/18350

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|--|---------------------------------|
| X A | GB 1 550 205 A (PROCTER & GAMBLE) 8 August 1979 (1979-08-08) claims examples --- | 1-4, 14, 15 5-9, 16-21 |
| X A | EP 0 503 155 A (REWO CHEMISCHE WERKE GMBH) 16 September 1992 (1992-09-16) cited in the application claims examples page 6, line 36 -page 8, line 1 --- | 1-4 5-10, 14-21 |
| X A | FR 2 523 606 A (COLGATE PALMOLIVE CO) 23 September 1983 (1983-09-23) cited in the application claims 1-7 examples 1-4 page 7, line 12 - line 24 --- | 1-4 14-21 |
| X | US 4 772 425 A (CHIRASH WILLIAM ET AL) 20 September 1988 (1988-09-20) examples 3,6 ----- | 21 |

INTERNATIONAL SEARCH REPORT

Information on patent family members

Ir. at Application No

PCT/US 00/18350

| Patent document cited in search report | Publication date | Patent family member(s) | Publication date |
|---|---------------------|----------------------------|---------------------|
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| | | EP 1034240 A | 13-09-2000 |
| | | EP 1036147 A | 20-09-2000 |
| | | WO 9927046 A | 03-06-1999 |
| | | ZA 9810741 A | 24-05-1999 |
| | | WO 9945089 A | 10-09-1999 |
| EP 0803498 A | 29-10-1997 | AU 1908797 A | 30-10-1997 |
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| | | CA 2203750 A | 26-10-1997 |
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| | | SE 434068 B | 02-07-1984 |
| | | SE 7706458 A | 05-12-1977 |
| | | US 4126562 A | 21-11-1978 |
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| | | CA 1074965 A | 08-04-1980 |
| EP 0503155 A | 16-09-1992 | DE 4108025 A | 17-09-1992 |
| | | CA 2062848 A | 14-09-1992 |
| | | DE 59107766 D | 05-06-1996 |
| | | ES 2089104 T | 01-10-1996 |
| | | US 5254270 A | 19-10-1993 |
| FR 2523606 A | 23-09-1983 | US 4442013 A | 10-04-1984 |
| | | AU 1267683 A | 29-09-1983 |
| | | BE 896239 A | 22-09-1983 |
| | | BR 8301420 A | 29-11-1983 |
| | | CA 1200658 A | 18-02-1986 |
| | | CH 663962 A | 29-01-1988 |
| | | DE 3309569 A | 27-10-1983 |
| | | DK 129683 A,B, | 23-09-1983 |
| | | ES 520809 D | 16-02-1985 |
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| | | GB 2118221 A,B | 26-10-1983 |
| | | GB 2167092 A,B | 21-05-1986 |
| | | GR 77168 A | 10-09-1984 |
| | | IT 1167401 B | 13-05-1987 |
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| | | NL 8301026 A | 17-10-1983 |
| | | NO 830987 A,B, | 23-09-1983 |
| | | SE 464140 B | 11-03-1991 |

INTERNATIONAL SEARCH REPORT

Information on patent family members

In Application No

PCT/US 00/18350

| Patent document cited in search report | Publication date | Patent family member(s) | Publication date |
|---|---------------------|---|--|
| FR 2523606 A | | SE 8301476 A ZA 8301877 A | 23-09-1983 28-11-1984 |
| US 4772425 A | 20-09-1988 | AU 596623 B AU 6651586 A ES 2002938 A GB 2184454 A,B | 10-05-1990 25-06-1987 01-10-1988 24-06-1987 |

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US 00/18350

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Present claims 5 and 9 relate to a compound (B) defined by reference to a desirable characteristic or property, namely being a 'bilayer modifier'.

The claims 5 and 9 cover all compounds having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only a very limited number of such compounds. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the compound by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the following compounds (B):

- bilayer modifiers as described in claims 10-13, on page 11 line 17 - page 22 line 28 and in the examples.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.